FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

Civil Application No. 2623/2007
in
First Appeal No. 469/1993(Decided)

Appeal Application No. Writ petition	District : of 200

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Mr. P.G. Anandikar, Adv. for the applicants.
Mr. D. N. Kukday, Adv. for the N.A.

CORAM : Smt. Vasanti A. Naik, J.
DATED : 21st June, 2007.

By this application, the applicant/original respondent seeks permission to withdraw the amount of Rs. 2,37,093/- deposited by the non-applicant/original appellant in this Court.

According to the learned counsel for the non-applicant, an amount of Rs. 2,37,093/- is not payable to the applicant and the amount payable would be Rs. 2,26,538/-.

The counsel for the applicants, however, submits that according to the applicants' calculation, the amount would be Rs. 2,28,000 and odd. However, the counsel for the parties agree that the applicants could be permitted to withdraw Rs. 2,27,500/-.

It appears that the non-applicant had deposited an amount of Rs.2,42,202/- in this Court

and the applicants had been receiving an interest on the aforesaid amount during the pendency of the first appeal. The amount of interest accrued on the amount of Rs. 2,42,202/- received by the applicants would be adjusted while making the payment of Rs. 2,27,500/- the applicants. The balance amount as well as the statutory deposit made by the non-applicant at the time of filing of the first appeal, should be refunded to the non-applicant.

Since the Tribunal had declined to grant compensation to the original respondent no.2—Nitin, the amount of Rs. 2,27,500/-would be paid to the respondent nos. 1, 3 and 4 to the original appeal.

Civil application is allowed on the aforesaid terms and disposed of.

JUDGE

RMP